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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/502,825	02/11/2000	Kiyoshi Miyazaki	1095.1120/JDH	5726

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EXAMINER

DASS, HARISH T

ART UNIT

PAPER NUMBER

3628

DATE MAILED: 01/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/502,825

Applicant(s)

MIYAZAKI ET AL.

Examiner

Harish T Dass

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claims 1-2 and 6-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Shkedy (US Patent 6,260,024).

Regarding claims 1-2, and 6-9 Shkedy (US Patent 6,260,024) discloses a transaction system between buyers and seller over the electronic network, input device (345, 445) which allows the buyer/seller to input the order for goods and services of at least one item (or additional items), receiving (detecting) purchase order, forwarding, acceptance of the order and computer readable code [Abs; Figures 1-11; C1 L6 to C2 L10; C3 L37-L57; C4 L47 to C5 L60; C6 L18-33; C27 L8-L25; C28 L63 to C29 L3; C30 L26-L67], cancellation (deletion), storage device and storing in database [Fig. 2; LC6 L18-L28; C9 L7-L67; C16 L39-L62; C20 L20-L35], displaying the purchase orders [C6 L1-L12; C11 L63 to C12 L10], time-stamp for first bid [C16 L60 to C17 L24], tax calculation [C9 L35-L55], payment and electronic transfer [C6 L29-L48]

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shkedy (US Patent 6,260,024).

Regarding claims 3-5, Shkedy, discloses displaying the purchase orders [C6 L1-L12; C11 L63 to C12 L10] and impossible to guarantee the price (changing price) [C1 L15 to C2 L60]. Shkedy, explicitly, does not disclose means for selectively inhibiting the orders, however, the computer spread sheets are well known to one skill in the art where a user can selectively inhibits and/or protect any item (cell, row, column) to hide and/or protect form changing the data from/by unauthorized user.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 CFR ' 1.111 (c) to consider the references fully when responding to this action.

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US Pat. 6,014,643 to Minton, Jan. 11, 2000 "Interactive securities trading system". This invention discloses a data processing systems and networks of data processing systems, which allow individuals to trade securities directly with other individuals who are not brokers over the network. Where first individual enters an offer to sell a security and second individual enters an acceptance to the first user's offer to sell a security.

US Pat. 6,058,379 to Odom et al, May 2, 2000 "" discloses an interactive system and method of an electronic exchange of goods and services via an electronic network.

US Pat. 6,134,535 to Belzberg, Oct. 17, 2000 "Computerized stock exchange trading system automatically formatting orders from a spreadsheet to an order entry system", this invention discloses an automated means for effecting the purchase and sale of shares traded on a stock exchange and computer software and hardware by which an operator may instantaneously effect the transfer of shares of a large number of corporations.

US Pat. 5,870,722 to Albert et al, Feb 9, 1999 "Apparatus And Method For Batch Processing of Wireless Financial Transaction" disclose a financial transaction processing for incoming orders.

US Pat. 5,794,207 to Walker et al, August 11, 1998 "Method and apparatus for a cryptographically assisted commercial network system designed to facilitate buyer-driven conditional purchase offers" discloses apparatus relate to electronic contract applications using electronic networks.

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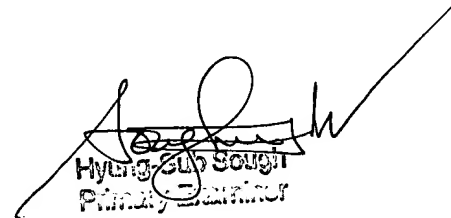
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harish T Dass whose telephone number is 703-305-4694. The examiner can normally be reached on 8:00 AM to 4:50 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Harish T Dass *HTD*
Examiner
Art Unit 3628

01/10/03
January 10, 2003



Hyung S Sough
Primary Examiner